## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

DAWAYNE HUNT and SARAH HUNT,

Plaintiffs,

v.

ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY, and COMCAST COMPREHENSIVE HEALTH AND WELFARE BENEFITS PLAN,

Case No. 14-cv-10065

Honorable Gershwin A. Drain

Defendants;

Magistrate Judge Elizabeth A. Stafford

and

COMCAST COMPREHENSIVE HEALTH AND WELFARE BENEFITS PLAN,

Cross-Plaintiff,

v.

ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY,

Cross-Defendant.

ORDER DISMISSING WITH PREJUDICE ALL CLAIMS
EXCEPT COUNT I OF
PLAINTIFFS DAWAYNE AND SARAH HUNT'S COMPLAINT

The parties having advised the Court that they have resolved their

differences as to certain matters and stipulate to the entry of this order, and the

Court being fully advised in the premises:

IT IS HEREBY ORDERED THAT Counts II and III of Plaintiffs' First

Amended Complaint, and the Cross-Claim filed by Defendant Comcast

Comprehensive Health and Welfare Benefit Plan against Defendant Allstate

Property and Casualty Insurance Company, are DISMISSED WITH PREJUDICE

and without costs or attorney fees to any party. Count I of Plaintiffs' Complaint

1

will be addressed in a separate order.

/s/Gershwin A Drain

Hon. Gershwin A. Drain

United States District Judge

Dated: September 25, 2015

## Stipulated and agreed to:

OLSMAN, MUELLER, WALLACE & MACKENZIE

By: s/Randy J. Wallace (w/permission)

Randy J. Wallace (P57556) Attorneys for Plaintiffs 2684 W. Eleven Mile Road Berkley, MI 48072 (248) 591-2300 rwallace@olsmanlaw.com

Dated: September 25, 2015

KIENBAUM OPPERWALL HARDY & PELTON, P.L.C.

By: <u>s/Noel D. Massie</u>

Eric J. Pelton (P40635) Noel D. Massie (P28988)

Attorneys for Defendant Comcast Comprehensive Health And Welfare Benefits Plan
280 N. Old Woodward Ave., Suite 400
Birmingham, MI 48009
(248)645-0000
epelton@kohp.com
nmassie@kohp.com

Dated: September 25, 2015

GARAN LUCOW MILLER, P.C.

By: s/Nathan A. Dodson (w/permission)
Robert L. Goldenbogen (P46166)
Nathan A. Dodson (P68560)
Attorneys for Allstate Property and
Casualty Insurance Company
1000 Woodbridge Street
Detroit, MI 48207-3192
(313) 446-1530
rgoldenbogen@garanlucow.com
ndodson@garanlucow.com

Dated: September 25, 2015